

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

JUAN JOHNSON,)	
)	
Plaintiff,)	05 C 1042
)	
v.)	Judge Grady
)	
REYNALDO GUEVARA, and the)	
CITY OF CHICAGO,)	
)	
Defendants.)	

PLAINTIFF'S MOTION IN LIMINE NO. 6
TO BAR REFERENCES TO USE OF ALIAS NAMES

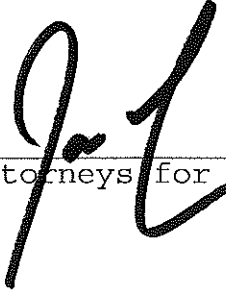
NOW COMES Plaintiff, JUAN JOHNSON, by his counsel, and respectfully brings the following motion *in limine*.

Discussion

Some of the witnesses who will testify at trial have admitted to using other "alias" names at various points in their life, presumably to confuse and thwart law enforcement. Testimony concerning this bad act is obviously inflammatory, and there is nothing sufficiently probative that could outweigh the risk of unfair prejudice. See United States v. Toma, 1995 WL 65031, at *5 (N.D. Ill. Feb. 13, 1995) ("Since the government does not point to any issue for which prior use of the alias is relevant, the motion *in limine* will be granted."); United States v. Finley, 708 F.Supp. 906, 911 n.3 (N.D. Ill. 1989) (impeaching witness solely on the basis that he used an alias improper); see also United States v. Williams, 739 F.2d 297, 300 (7th Cir. 1984) (error to introduce evidence that defendant went by nickname where it "was completely unrelated to any of the other proof against the defendant").

WHEREFORE, Plaintiff respectfully requests an order barring the Defendants from referencing any "alias" names without first obtaining permission from the Court at the hearing on this motion, or, alternatively, at trial outside the presence of the jury.

RESPECTFULLY SUBMITTED,


Attorneys for Plaintiff

Arthur Loevy
Jon Loevy
Russell Ainsworth
LOEVY & LOEVY
312 North May Street, Suite 100
Chicago, IL 60607
(312) 243-5900

Thomas G. Gardiner
GARDINER KOCH & WEISBERG
53 West Jackson Blvd., Suite 950
Chicago, Illinois 60604
(312) 362-0000

Daniel J. Stohr
222 North LaSalle Street
Suite 200
Chicago, Illinois 60601
(312) 726-1180